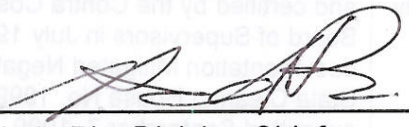


## MEMORANDUM

To: Ted Rauh  
Program Director  
Waste Compliance and Mitigation Program  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Date: November 12, 2009

From:   
Mark de Bie, Division Chief  
Permitting and Local Enforcement Agency Support Division  
Waste Compliance and Mitigation Program

Subject: REQUEST FOR ACTION ON A PROPOSED MODIFIED SOLID  
WASTE FACILITIES PERMIT FOR THE KELLER CANYON LANDFILL  
(Facility No. 07-AA-0032), CONTRA COSTA COUNTY

This memo requests that the Program Director take action on a proposed Modified Solid Waste Facilities Permit for the Keller Canyon Landfill, SWIS No. 07-AA-0032, located in Contra Costa County. A copy of the proposed permit is attached. This memo provides you with staff's findings and recommendations relative to the proposed action, pursuant to authority granted to the Executive Director by California Code of Regulations (CCR), Title 27, Sections 21663 (a) and 21685 (c). In addition, the California Integrated Waste Management Board Executive Director has delegated to the Program Director the authority to concur with or object to modified solid waste facilities permits (Board Policy No. BL-6, adopted by Resolution 2007-31, February 13, 2007, and subsequently delegated to the Program Manager).

The proposed modified permit was received on September 17, 2009. Action must be taken on this permit no later than November 16, 2009. If no action is taken by November 16, 2009, the Program Director will be deemed to have concurred with the issuance of the proposed modified permit.

Based on our review of the submitted permit package, staff recommends that the Program Director concur with the issuance of the modified permit and sign below. All of the required submittals and findings required by Title 27, Section 21685 have been made and the required CEQA findings have been made in support of concurrence. These findings are summarized in the following table. The documents or analysis on which staff's findings are based are in the facility file for the facility. The proposed changes and details on findings are presented in more detail below.



## Proposed Changes

The following changes to the permit are being proposed:

Current	Proposed
<p>Page 1: Remaining capacity as of March 1999 is estimated at 56,000,000 cubic yards net air space (refuse).*</p> <p>*This figure was obtained from the most recent aerial survey conducted on March 17, 1999.</p>	<p>Page 1: Remaining capacity as of September 2008 is estimated at 71,900,000 cubic yards net air space (refuse).*</p> <p>*This figure was obtained from the most recent aerial survey conducted on April 2008.</p>
<p>Finding 13. f.: The revisions to the SWFP and the amendments to the RDSI are within the scope of the Keller Canyon Landfill project evaluated in the 1990 Environmental Impact Report (EIR) (SCH No. 89004015) prepared and certified by the Contra Costa County Board of Supervisors in July 1990.</p>	<p>Finding 13. f.: The revisions to the SWFP and the amendments to the RDSI are within the scope of the Keller Canyon Landfill project evaluated in the 1990 Environmental Impact Report (EIR) (SCH No. 89004015) prepared and certified by the Contra Costa County Board of Supervisors in July 1990. Supporting documentation Mitigated Negative Declaration, State Clearing House No. 1999092018, submitted September 7, 1999, approved October 6, 1999.</p>
<p>Section 15: Amendments to RFI (RDSI) – March 2000</p>	<p>Section 15: Amendments to RFI (RDSI) – March 2000, May 2008</p>
<p>LEA Condition 17. e.: At the discretion of the LEA, landfill gas monitoring probes shall be installed for detection of gas migration. As specified in COA 20.11 accordance with regulations of BAAQMD and as specified by the LEA, landfill gas control system shall be installed. COA 20.11 requires installation of an active, vacuum gas control collection concurrent with the placement of wastes.</p>	<p>LEA Condition 17. e.: Deleted, which re-established the alphabetical order of the remaining permit conditions.</p>
<p>LEA Condition 17. h.: Quantification of Waste Received. Maximum peak permitted capacity is 3500 tons per operating day. Design capacity is estimated to be 60-64 million cubic yards compacted at 0.6 tons/cubic yard. Maximum total waste mass shall not exceed 38.4 million tons.</p>	<p>LEA Condition 17. g.: Quantification of Waste Received. Maximum peak permitted capacity is 3500 tons disposal per operating day. Design capacity is estimated to be 60-64 million cubic yards compacted at 0.6 tons/cubic yard. Maximum total waste mass shall not exceed 38.4 million tons. In addition the Facility is allowed 1300 TPD of beneficial reuse material at the following limits:</p> <p style="text-align: center;">500 tpd of green waste 300 tpd of wood waste 500 tpd of inert materials</p>
<p>LEA Condition 17. n.: This facility has a total permitted capacity of 3500 tons per day and shall not receive more than that amount without first obtaining a revision of the permit.</p>	<p>LEA Condition 17. m.: This facility has a total permitted capacity of 3500 tons per day for disposal only and 1300 tons per day of beneficial reuse; and shall not receive more than that amount without first obtaining a revision of the permit.</p>

The proposed permit clarifies that the 3,500 tons per day in the current permit was for disposal only, and includes a limit of 1,300 tons per day for green material, wood and inert material that can be received and used on site. The current permit was silent on the amount of material that could be received and used on site. The limits included in the permit are consistent with what has occurred at the site since the permit was first issued. The inclusion of the limit for beneficially used material does not increase the tonnage limits for the site. Other changes being proposed as an aspect of this permit action which are found in the amended Report of Facility Information include the following:

1. Update information on the quantity of green waste, wood waste and inert waste to be received.
2. Clarify the type of vehicles using the site. There will be no change in the traffic count.
3. Updated maps to clearly delineate the footprint. The footprint acreage will not change.

#### **Program Director Findings**

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(1) LEA certified Report of Facility Information	The LEA provided the required certification.	<input checked="" type="checkbox"/>	
21685(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation. [A permit review report had been completed on March 24, 2005 therefore the next permit review would be required on March 24, 2010.]	<input checked="" type="checkbox"/>	
21685(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation	<input checked="" type="checkbox"/>	
21685 (b)(4)(A) or (B) Consistency with PRC 50000.5 or LEA finding relative to PRC 50001	Board staff in the Jurisdiction Compliance and Audit Section has found the facility consistent with the Sitting Element.	<input checked="" type="checkbox"/>	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans consistency with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program (WCMP) have found the Preliminary or Final Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards.	<input checked="" type="checkbox"/>	
21685(b)(6)(A) Financial Assurances Documentation compliance	Board staff in the WCMP has found that there is Financial Assurances Documentation and compliance.	<input checked="" type="checkbox"/>	
21685(b)(6)(B) Operating Liability compliance	Board staff in the WCMP has found the Operating Liability in compliance.	<input checked="" type="checkbox"/>	
21685(b)(7) Operations consistent with State Minimum Standards	Board staff in the WCMP found that the facility was in compliance with all operating and design requirements during an inspection conducted on July 28, 2009.	<input checked="" type="checkbox"/>	
21685(b)(8) LEA CEQA finding	The LEA provided a finding that the proposed permit is consistent with and supported by the existing CEQA documentation.	<input checked="" type="checkbox"/>	

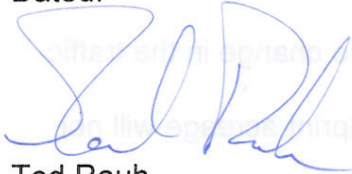


CCR Title 27 Sections	Findings	Acceptable	Unacceptable
CEQA determination to support responsible agency's findings	Board staff in the WCMP found that the proposed permit is consistent with CEQA and supports the ED concurrence in the modified permit.	<input checked="" type="checkbox"/>	

**Program Director Action:**

On the basis of the information in this Request for Action on Modified Solid Waste Facilities Permit and the findings set out above, the Program Director hereby concurs with the Modified Permit.

Dated:



Ted Rauh,  
Program Director

Attachment: Proposed Modified Permit 07-AA-0032 dated September 17, 2009

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
31885(a) LEA CEQA	The LEA provided a finding that the proposed permit is consistent with CEQA and supported by the existing CEQA documentation	<input checked="" type="checkbox"/>	
31885(b)(7) Operations	Board staff in the WCMP found that the facility was in compliance with all operating and design requirements during an inspection conducted on July 28, 2008	<input checked="" type="checkbox"/>	
31885(b)(8) Operating	Board staff in the WCMP has found the Operating Liability in compliance	<input checked="" type="checkbox"/>	
31885(b)(9)(A) Financial	Board staff in the WCMP has found that there is Financial Assurance Documentation and compliance	<input checked="" type="checkbox"/>	
31885(b)(8) Preliminary or Final Closure Postclosure Maintenance Plans	Board staff in the Waste Compliance and Mitigation Program (WCMP) have found the Preliminary or Final Closure Postclosure Maintenance Plans consistent with State Minimum Standards	<input checked="" type="checkbox"/>	
31885(b)(8) Preliminary or Final Closure Postclosure Maintenance Plans	Board staff in the Waste Compliance and Mitigation Program (WCMP) have found the Preliminary or Final Closure Postclosure Maintenance Plans consistent with the facility consistent with the State Element	<input checked="" type="checkbox"/>	
31885(b)(4)(A) or (B) Consistency with RRC 3000.2 or LEA finding relative to RRC 3000.1	Board staff in the Jurisdiction Compliance and Audit Section has found the facility consistent with the State Element	<input checked="" type="checkbox"/>	
31885(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation	<input checked="" type="checkbox"/>	
31885(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation. A permit review report had been completed on March 24, 2008 therefore the next permit review would be required on March 24, 2010	<input checked="" type="checkbox"/>	